

In the High Court of Judicature at Madras

Dated: 16.04.2018

Coram:

The Hon'ble Mr.Justice M.VENUGOPAL
and
The Hon'ble Mrs.Justice R.HEMALATHA

H.C.P.No.600 of 2018

Rajendhiran

..Petitioner

Vs.

State rep. by

1.The Superintendent of Police,
Thiruvannamalai District,
Tiruvannamalai.

2.The Inspector of Police,
Brammadesam Police Station,
Tiruvannamalai District.

..Respondents

Prayer: Habeas Corpus Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Habeas Corpus to direct the respondents herein to produce the body and person of the detenu by name Subha Devi daughter of Rajendhiran, aged about 21 years before this Court and to set her at liberty.

For Petitioner : Mr.K.Balu

For Respondent : Mr.R.Ravichandran
Nos.1 & 2 Government Advocate (Crl. Side)

सत्यमेव जयते
O R D E R

[Order of the Court was made by
R.HEMALATHA, J.]

The Petitioner/Rajendhiran has filed the present petition for issuance of Writ of Habeas Corpus directing the respondents to produce the body of the detenu namely, Subha Devi, aged 21 years.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing on behalf of the respondents.

3.In the affidavit filed along with the Petition, the petitioner/ Rajendhiran has contended that her daughter Subha Devi, who was working at KIML Company at Sriperumbudur went missing from home on 01.03.2018 and that he also lodged a

complaint with the Inspector of Police, Brammadesam Police Station, Tiruvannamalai on 15.03.2018 which culminated into registration of FIR in Cr.No.129 of 2018 of Brammadesam Police Station.

4. Notice was issued to the respondents and in response to the notice, the detenu namely, Subha Devi is produced by the second respondent/Inspector of Police, Brammadesam Police Station, Tiruvannamalai before this Court today. The detenu's husband namely, Dhananchezian is also present before this Court today.

5. When this Court interacted with the detenu Subha Devi, she contended that she was born on 24.09.1998 and fell in love with one Dhananchezian while she was working in Mindosai Company where the said Dhananchezian was also working. The specific contention of the detenu is that since she belongs to Most Backward Community and the said Dhananchezian belongs to Scheduled Caste and her parents did not agree for their marriage and that she married him at Nagathamman Koil, NSK Nagar, Arumbakkam, Chennai on 08.03.2018. She also contended that she is presently living with her husband at Bajanai Koil Street, Meduchithambadi, Arakkonam.

6. It is pertinent to note that the detenu is a major, aged 21 years. Therefore, this Court is convinced that she would be in a position to take an independent decision on her own and does not require any guidance or instructions.

7. In the facts and circumstances, the present Habeas Corpus Petition is disposed of as nothing survives for further adjudication.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

DP

To

1.The Superintendent of Police,
Thiruvannamalai District,
Tiruvannamalai.

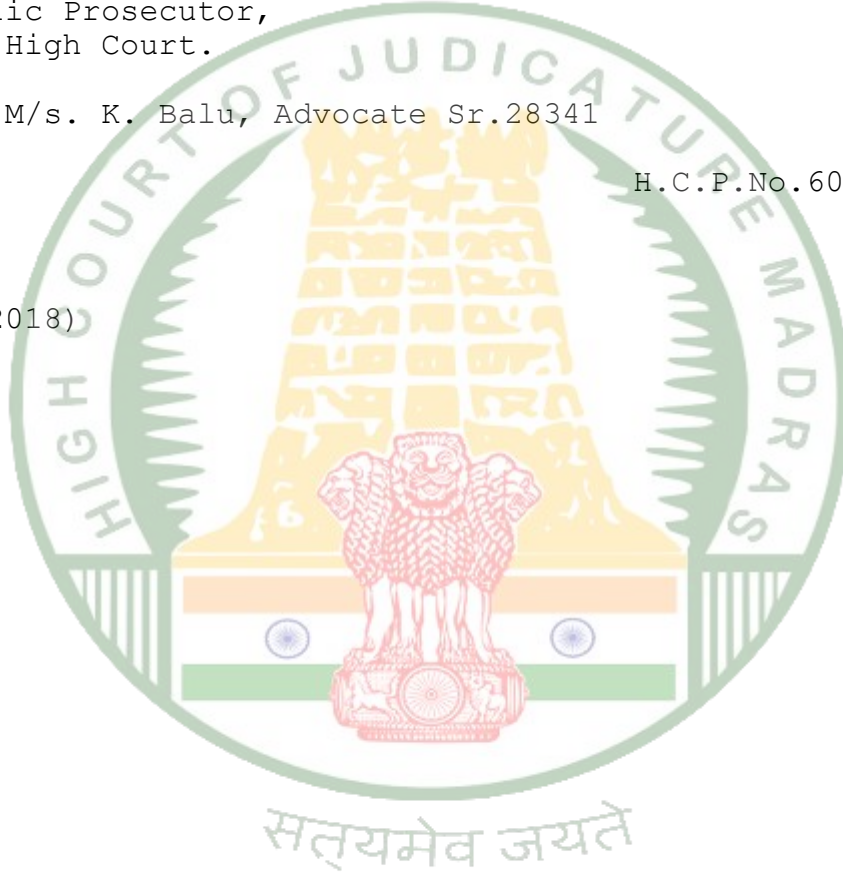
2.The Inspector of Police,
Brammadesam Police Station,
Tiruvannamalai District.

3.The Public Prosecutor,
Madras High Court.

+ 1 cc to M/s. K. Balu, Advocate Sr.28341

H.C.P.No.600 of 2018

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